

Serial No.: 09/925,682
Atty. Docket No.: P67034US0

REMARKS

The Office Action mailed June 5 , 2003, has been carefully reviewed and Applicant notes with appreciation the identification of allowable subject matter.

By this Amendment, claim 7 has been canceled, claims 1 and 5 have been amended, and new claims 9-11 have been added. Claims 1-6 and 8-11 are pending in the application.

The Examiner rejected claims 1, 3, 5 and 6 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,348,952 to Jeong in view of U.S. Patent No. 5,331,337 to Kabeya et al. (“Kabeya”) and U.S. Patent No. 6,129,449 to McCain et al. (“McCain”). The Examiner also rejected claims 2-4 as being unpatentable over Jeong, Kabeya and McCain, and further in view of U.S. Patent No. 5,717,848 to Watanabe et al. (“Watanabe”), and further rejected claim 6 as being obvious in view of Jeong, Kabeya and Watanabe. The Examiner objected to claim 7 as being dependent upon a rejected base claim, but stated that claim 7 would be allowable if rewritten in independent form including all of the limitations of the underlying base claim and any intervening claims.

The Jeong patent is assigned to LG Electronics Inc., and the present invention is also assigned to LG Electronics, Inc. Accordingly, the Jeong patent and the present application are commonly owned by the same company and were commonly owned at the time the present invention was made. Therefore, in accordance with 35 U.S.C. 103(c), the Jeong patent is not prior art against the present application for the purposes of an obviousness rejection. As the prior art of Kabeya, McCain and Watanabe fail to teach or suggest the present invention as claimed, Applicant respectfully requests withdrawal of the rejection and allowance of the pending claims.

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More particularly, as set forth in amended claim 1, the present invention is directed to a picture adjustment method for a video display appliance for providing diverse picture adjustment functions through a plurality of picture adjustment OSDs, the method comprising the steps of entering a menu for determining an accessibility or inaccessibility of picture adjustment OSDs and storing information on the accessibility or inaccessibility of each picture adjustment OSD in a memory. If entry into a picture adjustment process is commanded after the determination of the accessibility or inaccessibility of the picture adjustment OSDs, the picture adjustment OSDs are displayed and, if a command for picture adjustment is inputted through any one of the displayed picture adjustment OSDs, the method checks whether the corresponding picture adjustment OSD is accessible. The picture adjustment is performed in accordance with the inputted command for picture adjustment if the corresponding picture adjustment OSD is accessible and, if the corresponding picture adjustment OSD is not accessible, the inputted command for picture adjustment is ignored. Neither taken alone nor together do Kabeya, McCain and Watanabe teach this method as claimed, particularly in the absence of Jeong.

Claim 5 has been amended to include the limitations of claim 7 and therefore is in condition for allowance in accordance with the Examiner's identification of allowable subject matter.

New claim 8 is allowable for the same reasons as those set forth in connection with claim 1. Finally, claims 2-4, 6 and 9-11 are also in condition for allowance as claims properly dependent on an allowable base claim and for the subject matter contained therein.

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With the amendments set forth herein, the application is believed to be in condition for allowance. Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned attorney so that the present application can receive an early Notice of Allowance.

Respectfully submitted,

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Date: September 22, 2003
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